

REMARKS

This Amendment is responsive to the official action dated June 25, 2008. The claim amendments included herein are merely clarifying amendments and are not meant to change the intended scope of the claims. Thus, the amendments present the rejected claims in better form for consideration on appeal, and they should be entered in due course. Moreover, the amendments are manifest, requiring only a cursory review by the Examiner, thereby providing additional ground for their entry.

Claims 1-20 were pending in the application. In the official action, claims 1-20 were rejected. In this Amendment, claims 1 and 10 have been amended. Claims 1-20 thus remain for consideration.

Applicants submit that claims 1-20 are in condition for allowance and request withdrawal of the rejections in light of the following remarks.

Priority

The Examiner asserts that Applicants have not filed a certified copy of Japanese priority application JP 2002-332565.

In reply, Applicants note that the present U.S. application is a national phase filing of international application PCT/JP03/13082, and that a certified copy of JP 2002-332565 was filed in the international application. A search of the PCT records for the international application, as available through the WIPO web site, indicates that a certified copy of JP 2002-332565 is on file at the International Bureau. Accordingly, Applicants submit that the requirement for providing a certified copy of JP 2002-332565 has been fulfilled. (See MPEP 1893.03(c)(II).)

Double Patenting

Claims 1, 2, 10, and 11 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 2 and 4 of copending Application No. 10/706,772 in view of Bienek et al. (WO 02/078388 A2).

Applicants submit that the amendments to claims 1 and 10 render claims 1, 2, 10, and 11 patentably distinct from any proposed combination of Bienek with claims 2 and 4 of copending Application No. 10/706,772. Accordingly, Applicants request that the provisional double patenting rejections be withdrawn.

§112 Rejections

Claims 1-20 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement.

Claims 1 and 10 have been amended. Applicants submit that the amendments to claims 1 and 10 render claims 1-20 compliant with §112. Accordingly, Applicants request that the rejections under §112 be withdrawn.

§102 and §103 Rejections

Claims 1-4 and 10-13 were rejected under 35 U.S.C. §102(b) as being anticipated by Bienek et al. (WO 02/078388 A2).

Claims 5-9 and 14-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bienek in view of Masako et al. (JP-8-191225-A).

Applicants submit that the independent claims (claims 1 and 10) are patentable over Bienek and Masako (collectively "the cited references").

Applicants' invention as recited in claim 1 is directed toward an audio signal processing method. The claim recites that an audio signal is supplied to a plurality of digital filters, and that the outputs of the filters are supplied to a plurality of speakers. The claim further recites

that at least one amplitude characteristic of the plurality of digital filters is adjusted "so as to effect a spatially-localized low-pass filtering of the audio signal as output from the speakers, such that the audio signal at a second point in the sound field exhibits less higher frequency content than it would had the amplitude characteristic(s) not been adjusted, and such that the frequency content of the audio signal at [a] first point in the sound field remains substantially unchanged." Claim 10 includes a similar recitation. Supporting disclosure for the quoted recitation can be found in the specification at, for example, page 17, lines 3-19.

Neither of the cited references discloses the quoted recitation. Accordingly, Applicants believe that claims 1 and 10 are patentable over the cited references - taken either individually or alone - on at least this basis.

Further, since dependent claims inherit the limitations of their respective base claims, Applicants believe that dependent claims 2-9 and 11-20 are patentable over the cited references for at least the same reasons as discussed in connection with the independent claims.

Applicants respectfully submit that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited. If any issues remain, or if the Examiner has any further suggestions, he/she is invited to telephone the undersigned at (908) 654-5000.

The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 12-1095.

The Examiner's consideration of this matter is  
gratefully acknowledged.

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Respectfully submitted,

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